

Development Commission
05-07-14

**CITY OF ISSAQUAH
DEVELOPMENT COMMISSION
MINUTES**

May 7, 2014

City Hall South
Council Chambers

135 E. Sunset Way
Issaquah, WA 98027

COMMISSIONERS PRESENT

Randy Harrison, Chair
Michael Brennan
Katie Carroz, Alt.
Richard Sowa, Alt.

STAFF PRESENT

Jerry Lind, Senior Planner
Lucy Sloman, Land Development Manager
Christopher Wright, Project Oversight Manager

APPLICANT TEAM

Tom Bartholomew, Owner/Applicant
Alan Grainger, Architect, GGLO

CALL TO ORDER

HARRISON, Chair, called the meeting to order at 7:00 PM.

APPROVAL OF MINUTES

MOVED BY BRENNAN, SECONDED BY CARROZ that minutes of the Development Commission meeting on April 16, 2014 be approved as presented. MOTION CARRIED UNANIMOUSLY.

PROJECT PRESENTATION (Staff/Applicant Presentation of Briefing Response Memo, Public Comment, Commission Discussion, and Commission Decision)

Application for approval of Site Development Permit 13-00005 and Shoreline Substantial Development Permit SH013-00014, for Cadence (aka Seventh at Gilman, aka Atlas), a project comprised of 346 stacked flat apartments constructed in three buildings on a site containing 6.09 acres, located at the current site of Gilman Square, 615-695 NW Gilman Boulevard.

HARRISON explained how the review process tonight will work, including staff's and the applicant's response to issues raised at the April 16, 2014 Development Commission meeting on the project, now being referred to as Atlas. He explained when public comment will take place, as well as staff's and the applicant's opportunity to rebut. Following that, the Development Commission will discuss any remaining issues, with the objective of taking action tonight.

Sloman explained that tonight's meeting is a quasi-judicial matter and asked a series of questions intended to indicate there is an appearance of fairness and that Commissioners have no conflicts with impartiality. There were no disclosures of conflicts of interest.

An audience member asked about the role of Commissioners not in attendance tonight. HARRISON said a quorum of Commissioners is present, so a vote can be taken with the Commissioners who are present.

Staff/Applicant Presentation of Briefing Response Memo

Lind made staff's presentation of the Briefing Response Memo dated May 2, 2014. He gave an overview of the project, using slides that included a vicinity map, aerial photo, and project description. He gave staff's response to issues that arose from discussions at the April 16, 2014 meeting, and noted that architectural details were not as evident in the materials used at that meeting as will be presented tonight. He continued with the information on pages 1 to 4 of the memo, and referred to examples of the color palette on a color board. He noted that the conclusion is that staff is proposing a new condition:

The design of all three buildings shall include treatments at the top of the buildings, such as changes in material, color, and/or height to create a "top" to the buildings.

He noted that the applicant team, represented by Alan Grainger, GGLO, has agreed to a joint presentation and will be adding their comments. He gave more details about comments provided at the last meeting about the appearance of the buildings. Grainger showed schematics from better perspectives than were used at the last meeting, specifically looking down at the buildings. He displayed drawings of where buildings will have modulation and be stepped in and out, as well as the courtyards. He explained how design of the building corner at 7th and Gilman has added interest by moving up the "twisted" corner. He also explained how the color palette will be used and showed the three-story masonry to be used in bays. Lind added the penthouses at the top hide the HVAC equipment. The building tops will be somewhat visible from I-90, but less and less so as more buildings move into downtown and as the landscaping matures, he noted.

Grainger continued his presentation by showing views around the buildings, including the courtyards.

HARRISON asked for clarification of how the flat roof will handle drainage. Grainger noted all roofs slope down toward the middle of the roof, and drainage will be through the buildings adjacent to the mid-corridors, all internal to the building. No down spouts will be used, he added.

BRENNAN asked for clarification of the color transition on the buildings. Grainger indicated the bottom, middle, and top treatments with color and which exterior materials will be used. He referred to the Building B diagram. Lind noted future commercial development could be used here, although that is not a requirement. Grainger gave an explanation of design of the west wing of Building B, including how the number of units on the second floor has been reduced to make room for double-high entries. He showed the board-and-batten siding and trim to be used on Building B, and gave a mid-block connection view. Lind noted the project is contemporary architecture. The CIP does not address specific elements of style, and leaves that choice largely up to the applicant.

Lind and Grainger continued their presentation of the information in the Briefing Response Memo, beginning with #2--Gilman Blvd. Lind explained how the driveway configuration will function until the property redevelops. He noted that staff and the applicant are not recommending any changes to the approved conditions. HARRISON asked are the traffic signals on Gilman synchronized, and will that continue. Lind replied yes. Grainger explained the signalized intersection will create a turn lane, and the right-out-only exits will prevent cross-boulevard turns that occur with the existing driveway location.

On #3--Flooding, Grainger noted the project is located in a flood plain, but all structures are designed to be above the 100-year flood plain and to be flood proof. HARRISON asked how often are the flood plain maps updated. Lind said he has not seen an update for several years, possibly as much as ten years. He noted the swale is designed to take the brunt of any flooding, and that

plant materials will need to be restored in the swale after flood events. Lind and Grainger also referred to the City's commitment to notify residents of potential flooding events.

On #4--Shared Use Route, Grainger noted materials will be used to indicate the various uses of the shared use route.

On #5--Building C Courtyard, Grainger explained why the applicant team does not think having a single route is a problem. People are most likely going to the nearby trail for recreational purposes, and taking the shortest route there will not be the most important thing on their minds. He showed where a secondary connection could be made if an evaluation of the courtyard usage indicates that a second walkway is required. He noted the applicant team's thinking on this differs from staff.

BRENNAN said his interest is in emphasizing the need to allow for a future alternative, if needed, that would prevent trampling over landscaping. Grainger said the applicant has considered a pathway that would not be built to the same standards as the 6-foot wide accessible path, but more of a stepping-stone design. After more discussion, Sloman said it was staff's thought that having this discussion captured in the staff memo was sufficient, but if the Commission feels more comfortable with a condition then staff can draft one now. BRENNAN said he would appreciate that, and noted the design under this new process has not moved along as far as what the Development Commission has seen in the past. Given that, he said he would like to see this discussion captured in the conditions to ensure that it isn't overlooked. Sloman said she will work on draft language now.

During the presentation on #6--Public Spaces, HARRISON asked how would the public know what is private and what is public. Lind referred to a landscape buffer between the trail and the courtyard. He noted that the courtyard on 7th Ave. will be elevated. HARRISON noted the City is trying to encourage pedestrian traffic, and people walking by will want to use the courtyard. Grainger explained that a "standard of behavior" is expected of people using private property, even when those people are members of the public. He said the courtyard is not the same as a public park or street, and explained that property management can enforce the behavior standard. Lind said the courtyard will be usable by the public but will be oriented to residents. Sloman said signage will be present, but a lot of nonverbal cues will make the courtyard less inviting and the park spaces more inviting to members of the public. Grainger explained how the design of the courtyards will influence public access in all three buildings.

To help explain #7--Public Spaces and Sunlight, Grainger showed diagrams of where sunlight will fall at different times of the day and year throughout the site.

On #8--Uses, Lind noted that there is an opportunity for future commercial development at the project. HARRISON asked who is the target market for these units. Tom Bartholomew, Lennar Multifamily Communities, said we see our target market as being comprised of young families, maybe single parents, and small families, who are attracted to the good elementary schools nearby, great access to transit, and the area's high walkable score. HARRISON asked how the City communicates with the School Board for planning purposes. Lind replied the City does work with the School Board on our Comprehensive Plan about density expectations. Sloman added impact fees also help inform the school about what is being built. The School District also has its own demographers that predict school population trends, she noted. Staff noted that this issue is also addressed in #25 in the report. CARROZ asked was any estimating done of the number of people who might be residing at any one time and then a range of school-age children associated with that. Bartholomew said no, we did not. Sloman said a rental project is somewhat different than homes and condos; in the case of the latter, we are looking at how the housing may be used in 10

or 20 years as well as in the short term. So we balance the requirements we have now with setting ourselves up for long-term flexibility over the life of the building.

HARRISON said his concern is how information about new housing aimed at small families, presumably with school-age children, is transmitted to the School District. What he is hearing, he continued, is that there is not a regular communication between the City and the School District about housing projects that are likely to have school-age children. Sloman said the School District is typically not interested in land use permits because there is no guarantee that the projects will move forward. They are more interested in the issuance of building permits, which is also when they collect the impact fee. Bartholomew added these units are relatively small, and the children who live in them are likely to be preschoolers.

Lind and Grainger continued their presentation of #8--Mixed Use; #9--Gilman Blvd. Metro Bus Stop; and #10--Signage at Corner of Site. Grainger showed a view of how the intersection at 7th and Gilman will function, including how the concrete walls facing the road will be planted and become a green wall; where pole lights will be located; the position of benches; and where new trees will be planted.

HARRISON asked what is the purpose of the walls behind the benches. Grainger explained the City's CIP has a requirement for buildings to be built within zero and 10 feet of any property line in the CIP area, and we were unable to build there because of the existing drainage pattern. This is a solution which in a creative way is meeting the intent of the City's build-to line without having to build a building at the exact build-to line. He explained how the design will meet CIP regulations. HARRISON and other Commissioners said the wall behind the benches could pose safety issues, and gave examples of how people's safety could be compromised. Bartholomew said the applicant team asked the same question of staff, specifically why the wall is important. HARRISON said so there is no aesthetic or safety purpose to the wall, and it is just a matter of code compliance. Grainger said yes; we have been working with City staff on this issue for about six months.

After more discussion, Sloman noted that this represents the City's first foray through the new CIP standards, and there was little interest in not complying with the CIP standards on this first project. She said staff worked with the applicant on an alternative that would be in keeping with the architecture of the building and that "implies" where the street wall would be without building one. The applicant came up with this solution, and we feel it meets the goals of the CIP requirement. It is understandable that the applicant would rather not do it, she continued, but it is the City's intention to respect the CIP standards.

HARRISON asked whether the Police Department has looked at this design. Lind replied no.

Staff and the applicant continued their remarks on #11--Buildings Along Gilman Boulevard, and #12--Previous Use Contamination. HARRISON asked what provisions are being made to clean up after dogs being walked by pedestrians. Grainger referred to fencing, the availability of bags and waste bins, and the vigilance of property management. HARRISON asked about receptacles for litter and waste. Grainger said we expect those to be available regularly throughout the shared use trail site.

Lind and Grainger continued their presentation of #13--Traffic/Transportation Concurrency, and #14--7th Avenue Ditch. Lind showed a photograph of the open ditch as it looks now.

HARRISON said it is his understanding that there will be no runoff from the swale or drainage system through the site into this ditch, but rather to the intersection at 7th and Gilman. Grainger

replied that is correct. HARRISON asked so where does the water primarily come from. Grainger showed the drainage pattern on a schematic, and noted that water goes into pipes under 7th and then into the stormwater system that runs under Gilman Blvd. HARRISON noted that how this system will handle flood water is a major concern with this project. Grainger added the habitat associated with the swale, classified as a Class 4 stream, is being recreated in two different places on the site.

Lind and Grainger continued with #15--Impervious Surface Area, and #16--Parking. SOWA noted the number of units being developed appears to be 340 in some places in the documents and 344 in others. Grainger replied the correct number is 344. SOWA continued the documentation also seems to provide different numbers for the number of parking stalls per unit that will be built, which vary from 1.2 to 1.6 stalls. He said the fear is that people are going to move offsite to park if the parking supply is inadequate, particularly as a retail center with parking is located right across the site. Lind said the City's parking requirements pencil out to the need for 339 parking stalls for the number of units in this project, and the proposal from the applicant falls within the City's requirement. He noted that parking under the new CIP regulations is much more restrictive. Sloman referred to a recent King County parking study that included Issaquah and this site, and said it indicated that a project such as this would need 1.3 stalls per unit. The applicant can set the actual number at their discretion as long as they are between the City's minimum and maximum requirements, she stated.

Lind and Grainger continued their presentation on #17--Affordable Housing; #18--Fire Access Circulation; and #19--Key Pads for Buildings. LIND noted that key pad entrances are not required by code. Grainger explained how the key card system will work in the proposed design. Sloman noted the use of a key pad system is the applicant's choice.

Lind and Grainger continued with #20--Flashing Signs at Crosswalk. Sloman described the two flashing signals in the City of which she is aware, and said in discussions with the Police Department, they were hesitant about adding more. She said some research indicates that they can create a false sense of security. In addition, the Police Department likes to have more consistency throughout the City about how they communicate traffic conditions. Staff plans to talk with them further about the possibility of flashing signs for this project.

Lind and Grainger continued their comments on #21--Tax Credits; #22--Herbicides and Chemicals; #23--Views to the Issaquah Alps; #24--Choice of Foundation; #25--Impact on School District; and #26--Revisions to Conditions.

Lind introduced the two conditions on page 19, Condition 7 ("With the submittal of permits to construct the park area, provide an element to meet the year round use requirements of Chapter 7, such as a gazebo or weather protection") and revised Condition 8, which would give the City the option of requiring a paid parking survey if low parking usage at the apartments is creating a problem for nearby commercial businesses.

The Commission discussed the circumstances under which the City might choose to ask the applicant for the paid parking survey referred to in Condition 8. Sloman said the City's concern is that it wants to be able to start a conversation if it appears that the rate established for resident parking is not set at a successful level, and that overflow or spillover parking is taking place at nearby businesses. BRENNAN asked does the City require a Transportation Demand Management plan of residential projects to create incentives for residents to use transit and non-motorized options. Sloman replied no; the TDM requirement is state generated and just applies to

nonresidential projects over a certain size. But the City does actively work with property owners to encourage transportation management measures, and gave examples of City activities.

SOWA said any fee is going to drive some people to look for free parking in nearby lots. Even if the building owner lowered it to free parking, he continued, it's still possible that the building management could not meet the minimum 85 to 95 percent rate specified in the condition. He said it would be more meaningful to require that the study indicate the number of residents who have cars, the number using the building garages, and so on. Sloman noted not all parking at the building will have a fee. Surface parking between buildings, for example, is free.

Lind said the "gazebo or weather protection" is a design issue and staff is still in conversations with the applicant team about how it might be implemented. Grainger said there are management and security issues with a gazebo, and we are anxious not to provide a shelter in the park that becomes a dry hangout for anyone to use. He gave examples of how it might become an attractive nuisance. HARRISON agreed that the focus on security is very legitimate. Sloman said the applicant has indicated they are willing to have conversations with the City about our mutual concerns. HARRISON said consulting with the Police Department would be useful. Lind agreed, and noted the plan also calls for a two-acre park in the neighborhood with opportunities for covered spaces from the weather.

Lind concluded staff's presentation with the next steps in the process, including approval of the Findings of Fact, issuance of the Notice of Decision, the Appeal Period, submittal of the Shoreline Permit to the Department of Ecology, and issuance of Construction Permits.

Public Comment

HARRISON opened the meeting for public comment at 9:15 PM.

Bill Conley, P.O. Box 6564, Spokane, owns property adjacent to the site, at 1005 Fifth Avenue NW. He said continuing to allow the flow of traffic for pickups into the Montessori School poses no problem. He said his largest concern is the potential for elevations at the site to change, causing storm events at Issaquah Creek. He gave background on the parcel when it was used as a farm, and said there have been many times over the years where flooding came within six inches of the floor of the building that still stands on the property. He expressed his concern that elevations used by architects are maintained so flow will continue to drain as it has in the last 60 years. He also cautioned that flow would go right into the open ditch shown tonight in photos, where it could back up.

Darlene Cohen, owner of Gilman Galleries at 625 NW Gilman Blvd., Issaquah, said plans for parking are unrealistic; they might be realistic for Seattle or Bellevue, but this is Issaquah. Many people here have three or four cars. We are not Overlake; we have not reached that point. To meet the needs of people coming here, they are not going to sell their cars to move here, and to pay for the rents that will be charged, they likely will not be living alone, so there will be more than one car per unit, she continued. She said we have to realize that people living and working here will be using their cars to get to work, and this plan for parking doesn't meet the needs of people here in Issaquah. She also noted that public comment at the Rivers and Streams Board noted that, in a flooding situation, disabled people would be unable to get out.

Blake Flood, 24213 SE 40th Place, Issaquah, said he is not opposed to the project, but flooding is a concern. This is a guaranteed flood plain, he continued, and to build on it in this manner borders on reckless endangerment. He said the development should be beneficial to both the City and the developer, and he feels that the developer is "having their way with the City." He asked what will

the rents be, how much will parking cost residents, and who will manage the property. He said development shouldn't take place where flooding is guaranteed. He also expressed his doubts that parking will be adequate for residents and their visiting friends and family.

John Traeger, 710 7th NW, Issaquah, Vice Chair of the City's Economic Vitality Commission, said the EVC is excited to support this development. He spoke about the shortage of workforce housing in the City, and the lack of rental housing. He said this is a step in the right direction for development in Central Issaquah, and said other cities who are competing with ours for economic and business investments are taking similar steps. He said he would like to encourage support of federal, state, and county resources for funding transit. He also said he would not be displeased to see a variance granted for something other than the walls explained earlier in the presentation. He discussed his perception of traffic issues, and noting that he is concerned about speed of traffic between Juniper and Holly on 7th. He also spoke in favor of speed bumps or other measure on 7th.

Connie Marsh, business owner at 1175 N.W. Gilman Blvd., Suite B-11, Issaquah, and Issaquah resident, said she is still concerned that the appearance of the building will seem flat from far away. She said she also is concerned that stipulations in the conditions and discussions don't get "lost" when the final result is built. She said at the last meeting we talked about interpretive signage, and she didn't see that responded to in the staff report. She said she has grave concerns about putting people where floods are likely, and where people can't get out of a dangerous situation without going through water. She said she would like to see something in this design that is awesome and isn't sure this does that; it doesn't seem human, fun, or frivolous to the degree she was hoping for.

Hearing no additional requests to speak, HARRISON closed public comment at 9:36 PM.

Staff/Applicant Rebuttal

Sloman said staff feels the comments heard tonight have been addressed in the Response Memo. She continued that the construction conditions were included in the document that was attached to the staff report, and touched on some of the issues raised. HARRISON asked is that document available to the public. Sloman replied yes; it was available beginning April 9. She continued the interpretative signage issue was probably just overlooked. In looking at the CIP standards, there is a clear expectation for including way-finding signage, and interpretive signage is not in conflict with that.

The applicant team indicated it had nothing to add and would respond to questions.

Commission Discussion

Lind distributed the design standards checklist. HARRISON asked Commissioners for their comments before proceeding through the checklist.

CARROZ said the applicant and staff have done a good job of responding to the comments raised at the April 16 meeting, and said she feels generally comfortable with what she has heard today. She said she has some concerns about flooding, but is generally comfortable with the level of engineering that has gone into the design. She asked for clarification about the actual construction and phasing of the project. Bartholomew said assuming that the Development Commission gives its approval tonight, our schedule calls for us to initiate construction the first of June 2014, so we will be submitting a building permit in about a month. Construction will take about two months, he continued, and the staging area will be mostly on site. HARRISON asked has any study been done of protecting the Creek and nearby riparian areas. Bartholomew said no, but noted that the federal

requirements dealing with endangered species and protected habitat are stringent. Sloman noted those issues will be addressed in the construction permits.

CARROZ asked was a traffic study done. Bartholomew replied yes. The assumption was that all residents would drive, so our assumptions were very conservative. CARROZ asked will all buildings be ADA compliant, including during flood situations. Bartholomew replied yes; the buildings will be entirely ADA compliant. CARROZ ended her remarks by saying that we know what the CIP intends to do, and this project is the first in that effort, and it appears to be a step in the right direction.

SOWA agreed that staff and the applicant responded well to comments made at the last meeting. He said the colors being proposed are appealing, and thinks the modification of the architectural design since the last meeting is a good effort. He said he understands the rationale for the City's requiring the walls discussed earlier behind the benches, but said it seems prudent to have law enforcement take a look at it for their opinion.

BRENNAN said he, too, appreciates the response to concerns raised at the April 16 meeting. He encouraged the applicant to continue to work with staff on the building design issues. He said the concerns that remain for him, although there have been good responses tonight, are flooding and drainage issues, building aesthetics, and the neighbors' and residents' experiences with previous emergency flooding situations and their concerns. He asked staff about the FEMA process, specifically the displacement that might be created and the associated certification process. Sloman replied compensatory storage was built many years ago and is associated with this project. The City is also doing a third-party peer review of flooding design. BRENNAN said that is good to know, particularly given that this is an understandably sensitive issue.

He continued he is concerned about the traffic impacts on 7th NW and the impact with neighboring properties, and will likely suggest a condition for that later in the meeting. Sloman added that speed bumps are opposed by the Eastside Fire and Rescue, but there may be other measures that they could approve; however, the narrower design of CIP road standards are inherently traffic- and speed-calming measures. The regulations tend to create an environment where people don't drive so fast. BRENNAN said he was not thinking of speed bumps or any specific measure, but just an assurance that the issue is being looked at carefully. In general, he continued, he is happy with the project, and would like to see the interpretive signs mentioned by Ms. Marsh in the park by the Creek. It would be a simple addition in keeping with Issaquah's image of focusing on the environment, he concluded.

HARRISON said we are feeling our way through this new process, and so far, he said, he's feeling encouraged. He said the majority of projects turn out as expected, but occasionally when a project is finished, there is a feeling of "Is *that* what we approved?" when we see the final outcome. As a general comment, he continued, it would be good if there was a way of informing the City and the public of any changes that take place in discussions between the City and the applicant after a project is approved. Sloman gave examples of what are considered major and minor modifications, and said staff would definitely have conversations with the Commission about changes of a large degree. She said if it is a lower priority item, then we need to balance whether the public or the Development Commission is interested. HARRISON said his objective is to give as much transparency as possible to the process for approving these projects, with the goal of generating a minimum amount of cynicism and a maximum amount of trust and transparency.

SOWA agreed that this is a new process, and it doesn't include as much specificity as in the past, so trust has to be developed. The process will only be as valuable as the redemption of that trust proves to be, he continued. There is a lot at stake here.

HARRISON agreed, and reiterated that this project is the first to go through the process under the new CIP, and as such will set a standard for projects to follow. He said he would like to see a variance granted on the walls behind the benches; he said he doesn't see any benefit other than compliance with the plan. They also seem ugly and serve no security or aesthetic purpose. He said he's not advocating for eliminating them entirely, but perhaps substituting a grill or other solution that would be code compliant. He spoke in favor of interpretive signage. He said he would like the staff to come to some agreement with the Police Department about the use of a flashing-light crosswalk; it is obvious to him that some kind of warning there is needed. He said he understands how much work has gone into thinking about flooding, but he dreads the possibility of hearing on KOMO or KIRO or in the *Seattle Times* that "Issaquah built a brand new building and people couldn't get out when it flooded." An exit and entrance in the event of an overflow situation with the swale is needed, he continued. Perhaps it has been addressed, but if so, it isn't perfect clear. How can people get out of the building if there is water everywhere. He said this project is a net addition to our City, and it is our responsibility to ensure it is positive and not negative, he added.

Commission Decision

HARRISON read the pertinent sections of the Central Issaquah Development and Designs Standards Checklist and asked Commissioners to indicate their acceptance that the project meets the standards, and also to note any areas where they might like to suggest a condition be added. The Commissions indicated acceptance of all sections with the following additions:

- 6.0 Circulation Development
- 12.0 Circulation Design

BRENNAN noted he has concerns about 7th and will suggest a condition that will ensure any necessary traffic calming needs there are assessed.

- 7.0 Community Space Development
- 13.0 Community Space Design
- 8.0 Parking Development
- 15.0 Parking Design
- 9.0 Signs
- 10.0 Landscape Development
- 16.0 Landscape Design
- 11.0 Site Design
- 14.0 Buildings

BRENNAN noted he would like to consider an additional condition to further emphasize the building façade details and modulation. Sloman referred to the new condition in the Staff Memo on page 4 ("The design of all three buildings shall include treatments at the top of the building, such as changes in material, color, and/or height to create a 'top' to the buildings.")

- 17.0 Lighting

BRENNAN noted not much information on lighting was given. HARRISON agreed, and said he wants to ensure that lighting impacts on the Creek area are avoided. Sloman referred to the standards.

Sloman displayed two proposed new conditions, based on the Commission's discussion tonight, as follows:

New condition: During construction permit review, the City and applicant will work to identify elements of a public education plan related to potential flooding. The education plan will include signs in the garage and legal notice to ensure that future owners of the property area are aware of the site characteristics. Other possible components might include information provided to residents during leasing and residence.

HARRISON noted this provides the City with an opportunity to use cutting-edge notification processes such as Twitter to notify the public of potential flooding problems. Sloman agreed.

New condition: During the construction of building C, its courtyard will be evaluated by staff and the applicant to determine if a secondary, minor walkway is warranted. If appropriate, the walkway will be low impact, such as stepping stones.

Sloman also displayed revised Condition 8, as follows:

REVISED CONDITION 8. From time to time, as the property owner conducts surveys of the parking usage onsite, the property owner will self-report the information to the City. If the City identifies that there appears to be offsite impacts due to low onsite parking usage, the City may request that the property owner will conduct a paid parking survey during a peak use period acceptable to the Director, to ascertain and confirm that paid parking is being rented at a reasonable minimum rate (e.g. 85 to 95%). If rental rates of paid parking do not achieve a 85-95% or more usage rate of the paid parking stalls, the property owner must adjust the rental charged monthly until such time as the minimum use rate of 85 to 95% is achieved. The parking survey must be submitted within two weeks of its completion and monthly thereafter until the minimum usage rate of achieved.

Brad Reisinger, NW President, Lennar, 1325 Fourth Avenue, Seattle, said it is his interpretation that this parking assessment would not take place until after occupancy. Sloman said that is correct; it would only be triggered if the perceived impact of parking warranted such an assessment. Reisinger said it's unclear to him whether this would apply into perpetuity, for the life of the building.

Richard Hill, McCullough Hill Leary, 701 5th Ave., Suite 6600, Seattle, Counsel for the applicant, said having the City determine parking rates is troublesome. Sloman said the City is not suggesting that it set the parking rate, but rather that an assessment be made if parking is not being used at a rate of 85 to 95%. The City's intention is to ensure that parking rates result in the effective use of parking. Hill said but the City would ask that the rate be reduced if usage was not achieved at the rate the City has specified. The property owner should be able to work out its own solution using incentives and other means to achieve the usage rate it deems appropriate.

HARRISON noted the point is that no one wants residents to park anywhere but at the project. If it is discovered that offsite parking is taking place, there needs to be a mechanism for addressing that. SOWA, HARRISON and BRENNAN suggested several edits to the condition that would allow the applicant to determine how to address the spillover parking issue if it occurs. Sloman displayed the result:

Development Commission
05-07-14

REVISED CONDITION 8. Staff and the applicant will collaborate to identify a process to mitigate spillover parking from this project to neighboring properties.

Hill said on behalf of the applicant, this wording is acceptable.

MOVED BY BRENNAN, SECONDED BY CARROZ, that the following conditions be added to the Briefing Response Memo dated May 2, 2014:

New condition: During construction permit review, the City and applicant will work to identify elements of a public education plan related to potential flooding. The education plan will include signs in the garage and legal notice to ensure that future owners of the property area are aware of the site characteristics. Other possible components might include information provided to residents during leasing and residence.

New condition: During the construction of building C, its courtyard will be evaluated by staff and the applicant to determine if a secondary, minor walkway is warranted. If appropriate, the walkway will be low impact, such as stepping stones.

Revised condition #8: Staff and the applicant will collaborate to identify a process to mitigate spillover parking from this project to neighboring properties.

New condition: Assess the need for the addition of traffic-calming or controls on 7th Avenue NW to ensure traffic safety is maintained in response to increased use of this street in response to this project.

MOTION CARRIED UNANIMOUSLY.

MOVED BY BRENNAN, SECONDED BY SOWA, that the Development Commission approve the Site Development Permit and the Shoreline Substantial Development Permit for the Seventh at Gilman Project (aka Atlas) file numbers SDP13-00005 and SH013-00014, as described and evaluated in the Staff Report dated April 10, 2014 and project drawings received March 13, 2014, Briefing Response Memo, dated May 2, 2014 and subject to the conditions added tonight in the previous motion; and that the Development Commission direct the Development Services Department to prepare Findings of Fact and conclusions for review and approval by the Development Commission Chairman, affirming the Development Commission's decision to approve the Seventh at Gilman Project (aka Atlas), file numbers SDP13-00005 and SHO13-00014, subject to the conditions listed in the Staff Report dated April 10, 2014 and project drawings received March 13, 2014, Briefing Response memo, dated May 2, 2014, and subject to the conditions therein and as amended in the previous motion.

MOTION CARRIED UNANIMOUSLY.

OTHER BUSINESS/ANNOUNCEMENTS/ADJOURNMENT

With no further business to conduct, HARRISON adjourned the meeting at 10:49 PM.

Respectfully submitted,

Susan Lowe
Recording Secretary